

REMARKS

Claims 41, 42, 79 and 86-93 were pending in the subject application. By this amendment, Claims 42 and 89 have been canceled without prejudice or disclaimer, and Claims 41, 79, 88 and 90 have been amended. Applicant maintains that the amendments do not raise an issue of new matter. Support for the amendment to Claim 41 can be found at least in Claim 42. Support for the amendment to Claim 88 can be found at least in Claim 89. Support for the other claim amendments can be found at least in the previous version of the claims. Entry of the amendment is respectfully requested.

Rejections under 35 U.S.C. §103(a)

Claims 41 and 42 are rejected as being unpatentable over Wirz-Justice et al. (Alzheimer Disease and Associated Disorders 14(4): 212-215, 2000), Medicaments Psychotropics, and Dudley et al. (US 2004/0002482).

The claims have herein above been amended to be limited to the combination of pipamperone and citalopram, which the Patent Office has indicated shows superior and unexpected results (see page 13, bottom paragraph of Office Action issued on March 18, 2010 in patent family member U.S. Patent Application No. 10/752,423). Accordingly, reconsideration and withdrawal of these rejections are respectfully considered.

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Serial No.: 10/725,965
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page 5 of 5

CONCLUSIONS

In view of the amendments and remarks made hereinabove, reconsideration and withdrawal of the rejections set forth in the June 10, 2009 Office Action and passage of the pending claims to allowance are respectfully requested. If there is any minor matter preventing the allowance of the subject application, the Examiner is requested to telephone the undersigned attorney.

No fee is deemed necessary in connection with the filing of this response. However, if any fee is required to preserve the pendency of the subject application, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 01-1785. Overpayments may also be credited to Deposit Account No. 01-1785.

Respectfully submitted,

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